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| QUIRK & TRATOS 3773 HOWARD HUGHES PARKWAY SUITE 500 NORTH LAS VEGAS, NV 89109 | | | EXAMINER BARNES, CRYSTAL J | |
| | | | ART UNIT 2121 | PAPER NUMBER |

DATE MAILED: 09/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/651,841

Applicant(s)

DUNCAN ET AL.

Examiner

Crystal J. Barnes

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. The following is a Final Office Action in response to the Amendment received on 19 July 2005. Claims 1-26 remain pending in this application.

Drawings

2. The amendments to the drawings were received on 19 July 2005. These drawings are acceptable.

Specification

3. The amendments to the specification were received on 19 July 2005. These corrections are acceptable.

Response to Arguments

4. Applicant's arguments filed 19 July 2005 have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "personality module" refers to a unit with one or more ports for

communicating with one or more field devices and with included and/or associated processing power and memory) are not recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pub. No. 2002/0183882 A1 to Dearing et al.

As per claim 1, the Dearing et al. reference discloses a system for facilities management, including: a server (see page 3 [0040], "servers 26, 27"); a client

("client, controller") in communication with the server ("servers 26, 27"); a database ("profile database 30") in communication with the server ("servers 26, 27") and with the client ("client, controller"); and a personality module (see page 3 [0047], "reader 47") in communication with the server ("servers 26, 27"), with the client ("client, controller"), and with a field device (see page 3 [0045], "MW 36").

As per claim 2, the Dearing et al. reference discloses the client (see page 4 [0049], "client controller 45") includes a user interface ("GUI") designed to receive customization information ("interaction") from a user ("users") that determines system operation ("system 25").

As per claim 3, the Dearing et al. reference discloses the client (see page 4 [0049], "client controller 45") includes a user interface ("GUI"), the user interface ("GUI") designed to receive customization information ("interaction") from a user ("users"), the customization information ("interaction") including portals (see page 3 [0045], "portals") and system configuration ("mechanisms to restrict access") information.

As per claim 4, the Dearing et al. reference discloses furthering including: an enclosure (see page 3 [0045], "MW 36"), wherein the personality module ("reader 47") is housed in the enclosure ("MW 36").

As per claim 5, the Dearing et al. reference discloses further including: an enclosure ("MW 36"); a plurality of personality modules ("reader 47"); wherein the plurality of personality modules ("reader 47") are housed in the enclosure ("MW 36").

As per claim 6, the Dearing et al. reference discloses the personality module ("reader 47") is modular and is selected from a plurality of personality module types (see page 5 [0056], "smartcard, a magnetic card swipe device, a barcode device, a fingerprint reader"), each type ("smartcard, a magnetic card swipe device, a barcode device, a fingerprint reader") having a distinct set of characteristics defining personality module functionality ("reader 47").

As per claim 7, the Dearing et al. reference discloses the plurality of personality module types ("smartcard, a magnetic card swipe device, a barcode device, a fingerprint reader") includes a reader module ("reader 47") and I/O module ("barcode device").

As per claim 8, the Dearing et al. reference discloses upon installation the personality module ("reader 47") automatically receives an IP address (see page 3 [0040], "TCP/IP").

As per claim 9, the Dearing et al. reference discloses the personality module ("reader 47") includes an operating system (see page 3 [0040], "operating system").

As per claim 10, the Dearing et al. reference discloses the personality module ("reader 47") includes a software application designed to communicate directly with a third-party system (see page 3 [0044], "manufacturing infrastructure and marketing, customer relation management, billing, other systems").

As per claim 11, the Dearing et al. reference discloses a plurality of enclosures (see page 3 [0045], "MW 36"), wherein each enclosure ("MW 36") is capable of housing a plurality of personality modules ("see page 3 [0045], "products", and [0047], "reader 47"); wherein personality modules ("products, reader 47") can be dynamically removed from or added to (see page 5 [0056], "missing or added") an enclosure ("MW 36") while the system is in operation; wherein enclosures ("MW 36") can be dynamically removed from (see page 5 [0058], "lock down") or added to the system while the system is in operation.

As per claim 12, the Dearing et al. reference discloses the personality module ("reader 47 and MW enterprise application 29") operates autonomously (see

page 3 [0041], "administration of badges or keys") from the server ("servers 26, 27").

As per claim 13, the Dearing et al. reference discloses the personality module ("reader 47" and see page 6 [0060], "ERP system 124, web ordering system 126, passkey administration system 128, MW administration system 130") stores all information required to autonomously perform facilities management functions ("assign RF tags 95 to selected products or lots of products; assign identities to each MW 36; handle inventory planning; handle re-supplying of MWs; handle sales orders, process customer order inquiries; inventory inquiries; passkey updates; and purchase order updates").

As per claim 14, the Dearing et al. reference discloses further including: an enclosure (see page 3 [0047], "MW 36"), wherein the personality module ("reader 47, optional input devices") is housed in the enclosure ("MW 36"); and a display module ("reader 47, optional input devices" and see page 3 [0046], "display screen") is housed in the enclosure ("MW 36").

As per claim 15, the Dearing et al. reference discloses the display module ("reader 47, optional input devices") includes an LCD touchscreen (see page 5 [0056], "fingerprint reader").

As per claim 16, the Dearing et al. reference discloses the display module ("display screen") includes a user interface (see page 4 [0049], "GUI") to be displayed on a display screen ("display screen"), the user interface ("GUI") designed to interact ("interaction") with the personality module ("reader 47, optional input devices").

As per claim 17, the Dearing et al. reference discloses a system for facilities management, including: a server (see page 3 [0040], "servers 26, 27"); a client ("client, controller") in communication with the server ("servers 26, 27"); a database ("profile database 30") in communication with the server ("servers 26, 27") and with the client ("client, controller"); and an enclosure (see page 3 [0045], "MW 36") in communication with the server ("servers 26, 27"), with the client ("client, controller"), and with a field device (see page 3 [0045], "MW 36") wherein the enclosure ("MW 36") is capable of housing at least one modular personality module (see page 3 [0047], "reader 47") selected from a plurality of personality module types ("MW enterprise application 29, products, reader 47"), each type having a distinct set of characteristics defining personality module functionality ("MW enterprise application 29, products, reader 47").

As per claim 18, the Dearing et al. reference discloses the plurality of personality module types (see page 5 [0056], "smartcard, a magnetic card swipe device, a barcode device, a fingerprint reader") includes a reader module ("reader 47") and I/O module ("barcode device, a fingerprint reader").

As per claim 19, the Dearing et al. reference discloses upon installation the personality module ("reader 47") automatically receives an IP address (see page 3 [0040], "TCP/IP").

As per claim 20, the Dearing et al. reference discloses a plurality of enclosures (see page 3 [0045], "MW 36"), wherein each enclosure ("MW 36") is capable of housing a plurality of personality modules ("see page 3 [0045], "products", and [0047], "reader 47"); wherein personality modules ("products, reader 47") can be dynamically removed from or added to (see page 5 [0056], "missing or added") an enclosure ("MW 36") while the system is in operation; wherein enclosures ("MW 36") can be dynamically removed from (see page 5 [0058], "lock down") or added to the system while the system is in operation.

As per claim 21, the Dearing et al. reference discloses the personality module ("reader 47 and MW enterprise application 29") operates autonomously (see

page 3 [0041], "administration of badges or keys") from the server ("servers 26, 27").

As per claim 22, the Dearing et al. reference discloses further including: a display module (see page 3 [0046], "display screen") housed in the enclosure ("MW 36"), the display module ("display screen") includes a user interface (see page 4 [0049], "GUI") to be displayed on a display screen ("display screen"), the user interface ("GUI") designed to interact ("interaction") with the personality module ("reader 47, optional input devices").

As per claim 23, the Dearing et al. reference discloses an apparatus for use in a facilities management system that includes a server, the apparatus comprising: an enclosure (see page 3 [0045], "MW 36"); a plurality of personality modules (see page 3 [0047], "reader 47" and page 5 [0054], "products 80, individual items 90") housed in the enclosure ("MW 36"); wherein the personality modules ("reader 47, products 80, individual items 90") are modular; and wherein each personality module ("reader 47, products 80, individual items 90") is selected from a plurality of personality modules types ("reader 47, products 80, individual items 90"), each type having a distinct set of characteristics defining personality module functionality ("reader 47, products 80, individual items 90"); and wherein each

personality module is independently addressable (see page 3 [0040], "TCP/IP" and page 4 [0052], "identification tag 95").

As per claim 24, the Dearing et al. reference discloses each personality module ("reader 47, products 80, individual items 90") is dynamically swappable with another type of personality module (see page 5 [0055], "smartcard, magnetic card swipe device, barcode device, fingerprint reader" and page 7 [0069], "biometric device 404, reader 408").

As per claim 25, the Dearing et al. reference discloses the Dearing et al. reference discloses the personality module ("reader 47 and MW enterprise application 29") operates autonomously (see page 3 [0041], "administration of badges or keys") from a server ("servers 26, 27").

As per claim 26, the Dearing et al. reference discloses the enclosure ("MW 36") further houses a display module (see page 3 [0046], "display screen"), wherein a user interface (see page 4 [0049], "GUI") is to be displayed with the display module ("display screen"), the user interface ("GUI") for interacting ("interaction") with the personality modules ("products, reader 47, optional input devices") housed in the enclosure ("MW 36").

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following references are cited to further show the state of the art with respect to user interfaces in general:

USPN 5,895,452 to Lum

US Pub. No. 2005/0108096 A1 to Burger et al.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crystal J. Barnes whose telephone number is 571.272.3679. The examiner can normally be reached on Monday-Friday alternate Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 571.272.3687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CJB
6 September 2005


Anthony Knight
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Group 3600